



**CITY OF SANTA BARBARA
CREEKS RESTORATION/WATER QUALITY IMPROVEMENT
CITIZENS ADVISORY COMMITTEE MINUTES**

REGULAR MEETING

February 13, 2008

DAVID GEBHARD PUBLIC MEETING ROOM, 630 GARDEN STREET

CALL TO ORDER

Chair Hochman called the meeting to order at 5:30pm.

ROLL CALL

Committee members present: Chair Hochman, Michael Jordan, Lee Moldaver, Jeff Phillips, Roger Schlueter, George Weber, Daniel Wilson

Committee members absent: None

Liaison members present: Park and Recreation Commissioner Beebe Longstreet

Liaison members absent: County Project Clean Water Liaison Rob Almy,
Councilmember Iya Falcone, Planning Commissioner John Jostes

Staff present: Creeks Restoration/Clean Water Manager Cameron Benson, Assistant Parks and Recreation Director Jill E. Zachary, Water Resources Specialist Tim Burgess, Creeks Program Assistant Liz Smith, Sergeant Dan McGrew, Santa Barbara Police Department

APPROVAL OF MINUTES

Motion:

Committee members Moldaver/Hochman to approve the minutes of the special joint meeting and regular meeting of January 16, 2008.

Vote:

Unanimous voice vote.

AGENDA ADJUSTMENTS

Mr. Hochman requested that Item 8 be moved to immediately follow Item 6.

PUBLIC COMMENT

No one wished to speak.

COMMITTEE MEMBER AND STAFF COMMUNICATIONS

Mr. Jordan requested that Staff provide an update on the Arroyo Burro Restoration Project, particularly regarding site performance during recent storms.

Mr. Hochman presented a Certificate of Appreciation to Mr. Phillips and thanked him for his service to the Committee.

ELECTION OF VICE CHAIR

Motion:

Committee members Schlueter/Jordan to elect Mr. Moldaver Vice Chair of the Committee.

Vote:

Voice vote 6/0. Mr. Moldaver abstained.

BUSINESS ITEMS

7a. Parliamentary Procedure

Recommendation:

That the Committee receive a presentation on parliamentary procedure.

Documents:

Handout – “The A-B-C's of Parliamentary Procedure”

Speakers:

Daniel Hochman, Creeks Advisory Committee Chair

Committee Questions/Discussion:

Committee members suggested that pertinent information be provided by staff and presenters in the packet prior to the meeting; that presenters accurately estimate the length of presentations and provide an appropriate level of detail for the committee; and, that a desire for meeting efficiency does not deprive the committee of important discussion.

7b. Brown Act Training

Recommendation:

That the Committee receive a presentation on the Brown Act.

Documents:

Power Point Presentation – February 2008

Handout – “Twenty Frequently Asked Questions and Answers”

Speakers:

Scott Vincent, Assistant City Attorney

Committee Questions/Discussion:

Mr. Vincent noted that during meetings of standing subcommittees, other committee members may attend and observe those meetings, but may not participate.

Committee members asked questions regarding appropriate communication outside meetings; whether the number of Committee members needed for a majority vote changes now that the Committee will

have six members; and, how to best maintain meeting structure on site visits.

Mr. Vincent reported that once the majority of the Committee becomes aware of the actions or decisions of others, outside communication becomes a violation of the Brown Act and that Committee members should be particularly careful about email communication; four members of the Committee will still be a majority and a quorum; and, that a site visit and the subsequent meeting can be considered one hearing, and comments and questions may be reserved until the following meeting.

7c. Creeks Advisory Committee Composition, Roles and Responsibilities

Recommendation:

That the Committee approve recommended changes by the Strategic Planning Subcommittee of the Creeks Advisory Committee Composition, Roles and Responsibilities.

Documents:

Staff Report – February 2008

Speakers:

Daniel Hochman, Creeks Advisory Committee Chair

Motion:

Committee members Wilson/Moldaver to approve revised guidelines as they are written in the meeting packet.

Committee Questions/Discussion:

Committee members asked questions regarding the specific wording of the Roles and Responsibilities; whether the document will need to be approved by Council; and, whether the document is able to go back to the Strategic Planning Subcommittee for further revision after approval.

Mr. Hochman reported that the original document was approved by Council, and will not need to go to Council to approve the clarifications suggested by the Strategic Planning Subcommittee; and, that the document can be further revised after approval.

Vote:

Unanimous voice vote.

Committee Questions/Discussion:

Mr. Hochman suggested that committee members forward any further suggested changes to the document to Mr. Benson, and that the Strategic Planning Subcommittee will review proposed changes at their next meeting.

Mr. Moldaver left at 6:39pm.

7d. Laguna Creek Fence at Yanonali Street

Recommendation:

That the Committee receive a presentation of the proposed Laguna Creek Fence and recommend that staff proceed with design, permitting, and construction of the fence using Measure B funds.

Documents:

Staff Report – February 2008

Power Point Presentation – February 2008

Speakers:

Tim Burgess, Water Resources Specialist

Sergeant Dan McGrew, Santa Barbara Police Department

Committee Questions/Discussion:

Committee members asked questions regarding the location and height of the proposed fence; what the next steps in the process are; whether the site is located in the El Pueblo Viejo District; and, who will maintain the fencing.

Mr. Burgess reported that the fencing would be 8 feet high; that the next steps will include the Creeks Division receiving permission from adjacent landowners, an encroachment permit from Caltrans, a coastal exemption permit through the City, and approval of the Architectural Board of Review; staff does not believe the site is in the El Pueblo Viejo District; and, that staff expects maintenance to be minimal, and currently the private property owners maintain the existing fencing on their property.

Committee members asked questions regarding how much staff time would be spent on the project; where the funds for the project will come from; whether machinery use on the adjacent private property is a concern; and, what will happen to the fence when a proposed project on the adjacent property begins construction.

Mr. Benson reported that the project is not expected to require a significant amount of staff time; that in the FY 08 budget there are funds available in the water quality and creek clean-ups line items; that machinery on the property does not appear to cause damage to the existing fence; and, when proposed construction takes place on the private property, the fence can be taken down and used at another site.

Committee members asked questions regarding how often the police patrol the area.

Sergeant McGrew reported that the labor line area is patrolled at least once or twice a day, up to several times a day.

Motion:

Committee members Weber/Wilson to recommend that staff proceed with design permitting and construction of the fence using Measure B funds.

Committee Questions/Discussion:

Committee members expressed concerns regarding funding the project with Measure B funds, and suggested staff seek additional funding within the City and with private property owners.

Committee members asked questions regarding the possibility of other alternatives to fencing the creek completely; whether vegetation will be cut back and replanted to provide less cover; whether the project will come back to the Committee for further review; what effect a 100 year storm event will have on the fencing; whether the project can be done in separate phases rather than fencing the entire creek; and, whether a restoration element can be added to the current project.

Mr. Benson reported that alternative projects staff considered would cost far more than fencing; that the Creeks Division has cleared non-native plants out of the area; the project will not necessarily come back to the Committee; that staff will look for additional funding from within the City, but that it is unlikely; that during a 100 year flood event most of the area will likely be under water; that the creek is currently fenced, but that fence is failing and will be improved by this project; and, that currently Geosyntec Consultants are working with UCSB to complete a study of the Laguna watershed, which will identify potential projects to improve water quality in Laguna Creek.

Committee members asked questions regarding the effect that fencing the creek will have on the amount of crime in the area.

Sergeant McGrew reported that fencing the creek will be helpful to the police, but that the narcotics problem is migratory and will likely move away from the creek.

Vote:

Voice vote 3/3; motion failed to pass.

Committee Discussion:

Committee members asked questions regarding whether the committee is able to put forward a motion advising staff to do restoration work on private property.

Mr. Benson reported that staff has spoken with property owners regarding the fence, but not about restoration, and that the watershed study should be completed in approximately one year.

Ms. Zachary noted that the project is a way to address water quality issues in the short term, and that as the area changes, staff can revisit possible alternatives.

Motion:

Committee members Jordan/Wilson to reconsider prior vote and accept staff recommendation as read on the agenda and approve moving forward with the project.

Vote:

Voice vote 5/1.

Ms. Longstreet left at 8:14pm.

CHAIR SUBCOMMITTEE APPOINTMENTS

Mr. Hochman, Mr. Jordan, and Mr. Schlueter were appointed to the Budget Subcommittee.

Mr. Moldaver, Mr. Weber, and Mr. Wilson were appointed to the Watersheds Subcommittee.

Mr. Hochman, Mr. Jordan, and Mr. Moldaver were appointed to the Education and Outreach Subcommittee.

Mr. Schlueter, Mr. Weber, and Mr. Wilson were appointed to the Water Quality Subcommittee.

Mr. Hochman, Mr. Moldaver, and Mr. Wilson were appointed to the Strategic Planning Subcommittee.

Mr. Wilson was appointed to the Lower Mission Creek Flood Control Project Design Committee.

Mr. Jordan was appointed to the IPM Advisory Committee.

MANAGER'S REPORT

ADJOURNMENT

Motion:

Committee members Weber/Phillips to adjourn.

Chair Hochman adjourned the meeting at 8:26pm.

Respectfully submitted,

Cameron Benson
Creeks Restoration/Clean Water Manager